

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD SURABIAN, ET AL.,

Appellants,

13 Civ. 935 (JGK)

- against -

IRVING H. PICARD,

MEMORANDUM OPINION
AND ORDER

Appellee.

JOHN G. KOELTL, District Judge:

The Court previously issued a Memorandum Opinion and Order dated June 13, 2013, in which the Court denied the appellants' motion to extend time and stay the appeal. On July 1, 2013, the appellants filed another motion to stay proceedings. On July 12, 2013, the appellants filed a motion to extend time to file the appellants' brief.

The Court previously determined that there was no valid basis to stay the appeal and that the Trustee and the BLMIS customers have a significant interest in proceeding expeditiously with the appeal. The renewed motion to stay also fails to provide a valid basis to stay the appeal. Therefore, the appellants' motion to stay proceedings is **denied**.

The appellants point out in their motion to extend time to file the appellants' brief that their brief had been due on July 15, 2013, before the Court decided their most recent motion to stay proceedings. Therefore, the appellants' motion to extend

time to file the appellants' brief is **granted**. The appellants' brief is now due on August 12, 2013.

SO ORDERED.

**Dated: New York, New York
 July 19, 2013**

/s/
**John G. Koeltl
United States District Judge**